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\*\*E-filed 12/8/05\*\*

Attorney for Plaintiffs.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JUAN D. MARTINEZ and SERGIO  
SANCHEZ,

Plaintiffs,

v.

MONTEREY COUNTY,  
CALIFORNIA; BRUCE  
MCPPERSON, CALIFORNIA  
SECRETARY OF STATE; BILL  
LOCKYER, CALIFORNIA  
ATTORNEY GENERAL,

Defendants.

Case No. C-05-2950-JF

**STIPULATION & ORDER FOR  
DISMISSAL OF PLAINTIFFS'  
APPEAL**

Three Judge Court:  
Circuit Judge Richard Tallman  
Judge Susan Illston  
Judge Jeremy Fogel

Noticed Hearing Date: To Be  
Determined  
Noticed Hearing Time: To Be  
Determined

1 The Plaintiffs in this action on October 17, 2005, filed their Notice of Appeal to the  
2 United States Supreme Court from an ORDER DENYING MOTION TO LIFT STAY  
3 entered by this Court on October 12, 2005. As a result of the November 8, 2005, special  
4 statewide election, Plaintiffs are seeking a dismissal of their appeal. All of the parties in this  
5 action listed below stipulate to the dismissal of this appeal pursuant to Rule 18.5 of the Rules  
6 of the United States Supreme Court.

7 /s/

/s/

8 Dated: December 1, 2005

Dated: November 30, 2005

9 Joaquin G. Avila  
10 On Behalf of Attorneys for  
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11 Sergio Sanchez  
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13 /s/

/s/

14 Dated: November 30, 2005

Dated: November 30, 2005

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20 ORDER

21 The Court having reviewed this Stipulation hereby ORDERS that Plaintiffs' appeal  
22 incorporated within Plaintiffs' Notice of Appeal filed on October 17, 2005, is hereby  
23 dismissed. On behalf of the Panel, IT IS SO ORDERED.

24 Dated: 12/8/05

25 Jeremy Fogel /s/electronic signature authorized

26 JEREMY FOGEL,  
United States District Judge.